REMARKS

Reconsideration and allowance of the above-reference application are respectfully requested. Claims 1-48 are unchanged and remain pending in the application.

Claims 1-11, 13-23, 25-35, and 37-47 stand rejected under 35 USC §103 in view of U.S. Patent Publication 2003/0026244 by Pietrowicz et al. in view of U.S. Patent No. 6,275,226 to Uchida et al. This rejection is respectfully traversed.

Each of the independent claims 1, 13, 25, and 37 specify an arrangement for displaying display elements within respective distinct display areas of a display screen of a network-enabled user interface device. Method claim 13 is exemplary:

> A method of controlling a display screen of a network-enabled user interface device configured for network-based communications via an open protocol network, the method comprising:
> receiving application-based display requests from executable application resources, at least a portion of the display requests received via an open protocol network;
> selecting display elements to be displayed within respective distinct display areas of a display screen, based on arbitrating the display requests relative to at least one of a corresponding determined condition and a determined presence of a selected user input; and
> outputting the display elements for display within the respective distinct display areas.

Claim 1 also specifies "a display screen configured for displaying display elements within respective distinct display areas."

As described on page 3, lines 4-7 of the specification:

> Use of a user pointing device, such as a mouse, ... is not practical on certain user devices, such as the Voice over IP telephony device, hence overlapping windows cannot be easily controlled on the display on the user device. Moreover, the limited size of the display on the user device renders impractical the user of overlapping windows.

However, the claimed feature of controlling display data based on implementing "distinct

display areas" within the network-enabled user interface device enables efficient arbitration of display requests on a per-display area basis. For example, page 6, lines 11-17 of the specification introduces the feature of arbitrating display requests for display of display elements in respective display areas:

> The disclosed embodiment is directed to an arrangement for controlling the display of a user interface device based on generation of display elements for respective display areas, where display requests are arbitrated to select the appropriate display element for each corresponding display area. Hence, the use of arbitration for prescribed display areas enables use of a message-based display arrangement, where executable application resources, executed locally within the user interface device or remotely on the open protocol network, can send display requests for application objects to be displayed.

The specification also describes at page 12, lines 15-21 the beneficial features of controlling the display of a network-enabled user interface device by partitioning the display into distinct display areas:

> The disclosed embodiment controls the display of the display elements 22 by partitioning the display 20 [of Fig. 3] into distinct and unique display areas 60. In particular, the interface controller 25 utilizes the arbitrator 48 for partitioning of the display 20 into prescribed display areas 60. For example, the arbitrator 48 partitions the display 20 into a top bar display area 60a providing high-priority status information (e.g., state information for an active user service), a window area 60b for displaying display elements 22 for the active user service, a background display area 60c, a status line display area 60d, a soft key display area 60e, and a line key display area 60f. ... [H]ence, any application resource can reference any one of the display areas 60 ... in order to request display of an application object within a specified display area 60.

Hence, the partitioning of the display screen into multiple distinct display elements, in combination with selecting a display element for each corresponding display area based on either a corresponding determined condition, or a determined presence of a user input, enables a user

display to be dynamically controlled with minimal complexity.

These and other features are neither disclosed nor suggested in the applied prior art.

As admitted on page 3 of the Official Action, Pietrowicz et al. does not disclose or suggest the claimed interface controller that is configured for defining the distinct display areas and outputting the display elements for the respective distinct display areas. The Official Action also admits that Pietrowicz et al. does not disclose or suggest an interface controller having the claimed arbitrator for selecting, from the display requests, the display element.

The Examiner's reliance on Uchida is misplaced because: (1) Uchida is non-analogous art; (2) Uchida teaches away from the claimed feature of controlling a display having distinct display areas; and (3) there is no disclosure or suggestion of arbitrating display requests having been received from executable application resources, as claimed.

Uchida is directed to supporting development of application windows in a GUI-based application development environment (see, e.g., Abstract and col. 1, lines 5-25), and is not within the field of the inventors' endeavor, namely providing control of display data on network enabled user devices, for example Voice over IP Telephones, configured for displaying data for multiple service operations; further, Uchida is not reasonably pertinent to the particular problem with which the inventors were involved, namely providing display of multiple application services on a network-enabled user device, in a manner that enables the device to retain control of the presentation of the display content to the user, and without the necessity of overlapping window regions. Uchida provides no disclosure or suggestion of arbitrating between different display requests intended for a corresponding display area of a display having distinct display areas, and

as such is non-analogous art. In re Wood, 202 USPQ 171, 174 (CCPA 1979).

In fact, Uchida explicitly teaches away from the claimed distinct display areas by relying on overlapping application windows (see, e.g., overlapping areas 502 of Fig. 5).

Finally, Uchida does not teach or suggest the claimed arbitrator: the element 205 refers to an "information selector" which is used to select from available *server-stored* GUI information 201 (in the form of letter font/size, line width, line type) (col. 4, lines 21-29) in response to a corresponding *flag being set*; however, when the flag is not set, then server-stored information 201 is not used, and instead default values of the application window development tools are applied (see, e.g., col. 4, lines 44-59; col. 5, lines 28-42; col. 6, lines 22-32 and col. 6, line 65 to col. 7, line10).

Hence, Uchida teaches away from the claimed arbitration by relying on a flag to indicate whether server-stored GUI information 201 should be used during application window editing, or whether default settings of the application window development tools should be used. Moreover, the flag is used to indicate whether *server-stored* GUI information 201 should be used, or *default settings* of the development tools: there is no disclosure or suggestion of arbitrating between display requests from executable application resources, at least a portion of the display requests from executable application resources via an open protocol network.

One skilled in the art would not have been motivated to modify Pietrowicz et al. to include the teachings of Uchida. As described above, the field of Uchida (application window development) is incompatible with the display device 122 of Pietrowicz et al., especially since the display 122 of Pietrowicz et al. is configured for "displaying dialed digits and feature-related

call information" (see paragraph 25, lines 2-4). Moreover, all service-related data presented to the LCD display 122 is via the analog call processor 222 or the VoP call processor 226 (see, e.g., paragraphs 38-39). There is no indication of how the hypothetical combination could be operable if the device of Pietrowicz et al. was modified as suggested by the Examiner.

The Examiner is reminded that the proposed modification cannot change the principle operation of a reference or render it unsatisfactory for its intended purpose. "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious." MPEP § 2143.02, Rev. 2, May 2004 at p. 2100-132 (Citing In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). "If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." Id. (Citing In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)).

Moreover, the resulting hypothetical combination still would neither disclose nor suggest the problem addressed, namely controlling display of multiple services in a network-enabled user device. An evaluation of obviousness must be undertaken from the perspective of one of ordinary skill in the art addressing the same problems addressed by the applicant in arriving at the claimed invention. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, 23 USPQ 416, 420 (Fed. Cir. 1986), cert. denied, 484 US 823 (1987). Thus, the claimed structures and methods cannot be divorced from the problems addressed by the inventor and the benefits resulting from the claimed invention. In re Newell, 13 USPQ2d 1248, 1250 (Fed. Cir. 1989).

Further, the resulting hypothetical combination still would neither disclose nor suggest the claimed features of selecting display elements to be displayed within respective distinct display areas based on arbitrating the display requests having been received from executable application resources, as claimed. Moreover, there is no disclosure or suggestion of arbitrating the display requests, received from executable application resources (at least a portion received via an open protocol network), based on arbitration relative to at least of a corresponding determined condition (relative to the corresponding distinct display area) and a selected user input, as claimed.

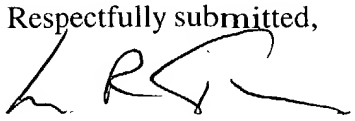
For these and other reasons, the §103 rejection of claims 1-11, 13-23, 25-35, and 37-47 should be withdrawn.

Claims 12, 24, 36, and 48 are believed allowable in view of their dependency from the respective independent claims.

In view of the above, it is believed this application is and condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-469, and please credit any excess fees to such deposit account.

Respectfully submitted,



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